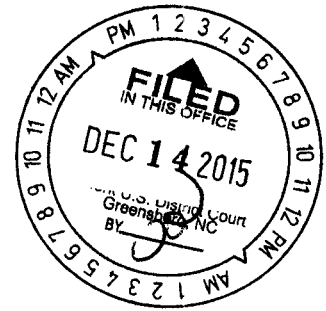


SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



IN IN THE MATTER OF A WARRANT TO :
SEARCH THE PREMISES LOCATED AT : 1:15MJ275
4951 HUNT CLUB ROAD, APARTMENT B, :
WINSTON-SALEM, NORTH CAROLINA, :
27104 AND VEHICLE BEARING NORTH :
CAROLINA LICENSE CCD5598 WITH VIN :
3FAHP0JA6BR327761 :
: **Filed Under Seal**

SEALED SUPPLEMENT TO MOTION TO SEAL BY THE UNITED STATES

NOW COMES the United States of America, by Ripley Rand, United States Attorney for the Middle District of North Carolina, through his assistant, Eric L. Iverson, and supplements the Motion to Seal filed in the above-captioned case, in accordance with Baltimore Sun Company v. Goetz, 886 F.2d 60 (4th Cir. 1989). Since the supplement addresses the specific nature of the material the United States seeks to have sealed and the specific reasons for the desired sealing, it is requested that the Court seal this supplement.

The search warrant affidavit filed in the above-captioned cases contains information in an ongoing nationwide investigation into violations of 18 U.S.C. § 2251(d) and (e) (advertising, attempting to advertise, and conspiracy to advertise child pornography); 18 U.S.C. § 2252A(a)(2)(A) and (b)(1) (receipt and distribution of, conspiracy to receive and distribute, and attempt to receive and distribute child pornography); and 18 U.S.C. § 2252A(a)(5)(B) and (b)(2) (possession of, knowing access, conspiracy to access, or

attempted access with intent to view child pornography). The investigation targets individuals sharing and viewing child pornography on a website dedicated to such content.

The subject website was located on a network that masked the users' IP addresses. Thus, law enforcement employed a sensitive investigative technique to identify the individuals using the website. Following the February 2015 arrest of the primary site administrator and seizure of the website, the site remained operating at an FBI facility in the Eastern District of Virginia until approximately March 4, 2015. During that time period, Title III Electronic Intercepts were conducted on the site to monitor users' communications and a Network Investigative Technique ("NIT") was deployed in an effort to defeat the anonymous browsing technology afforded by the network and to identify the true IP addresses of website users. The NIT successfully revealed the actual IP addresses of more than 1,000 U.S. based users who accessed the site.

In total, the investigation resulted in over 1,300 leads that were disseminated throughout the U.S. To date, more than 600 search warrants have been executed based upon those leads. Not all of the target locations and individuals have been searched at this time. It is anticipated that the searches will be completed sometime in 2016.

Online criminals have been known to actively search for criminal affidavits and search warrants via the Internet, and disseminate them to other online criminals as they deem appropriate, i.e., post them publicly online through forums. Premature disclosure of this search warrant affidavit could result in potential evidence being destroyed or hidden. For example, if the identity of the target website were to become widely known to the public, users would likely destroy evidence of their association with child pornography and may attempt to evade law enforcement.

Further, the FBI intends to use this investigative technique in subsequent investigations. Currently, many users of the anonymous network believe that they can navigate child pornography websites on the network without fear of being identified. Public disclosure of the search warrant affidavit could dispel this belief and negatively affect law enforcement's ability to conduct future investigations using the NIT.

The search warrant affidavit in case number 15MJ275 in this District is associated with this investigation and is currently unsealed. The United States has moved to have it sealed.

Due to a mistake, a search warrant affidavit associated with this investigation was not sealed in the Eastern District of New York. This affidavit remains unsealed. Failure to seal the affidavit resulted in a news article about the investigation. The article,

which is attached, described the subject website's content and highlighted the FBI's use of a NIT. This article has been circulated among child pornography sites on the anonymous network.

The Child Exploitation and Obscenity Section Trial Attorney in charge of this national investigation is unaware of any other publicly available affidavits related to this investigation.¹ Since the existence of the Eastern District of New York affidavit was reported on, successful search warrants arising from this investigation have been executed. Law enforcement has not completely lost the element of surprise.

While an affidavit associated with this investigation is publicly available in the Eastern District of New York and one is currently available in this District, further disclosure of the numerous search warrant affidavits in this investigation, of which the affidavit in this case is one, would likely result in additional and more widespread attention. In other words, there would be a cumulative effect from disclosure that would draw significant attention to this investigation. Such attention would increase the likelihood that this investigation and future investigations will be negatively impacted.

¹ There are some publicly filed complaints throughout the U.S. that provide limited detail about the investigation. One complaint in the Eastern District of New York discloses the name of the subject Website.

Accordingly, there is good cause to seal the search warrant affidavit because its disclosure may seriously jeopardize this and future investigations.

WHEREFORE, the United States respectfully requests the sealing of the search warrant affidavit filed in the above-captioned case.

This the 14th day of December, 2015.

Respectfully submitted,
RIPLEY RAND
UNITED STATES ATTORNEY

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BUSINESS INSIDER

The FBI seized a child-porn website with 215,000 users



NATE RAYMOND, REUTERS
JUL. 7, 2015, 3:07 PM

A Federal Bureau of Investigation search warrant has provided a rare glimpse into the increasingly complex efforts of U.S. law enforcement to combat child pornography online, leading to the seizure this year of a website with nearly 215,000 users.

The search warrant, unsealed on Monday in federal court in Brooklyn, New York, showed that the FBI seized the website's North Carolina server on Feb. 20 but allowed it to remain operating for about two weeks while authorities investigated its users.

According to the search warrant describing the website's activities, it operated on a network designed to facilitate anonymous communication over the Internet that protected users' privacy.

The website, which began operating around August 2014, contained thousands of postings and messages featuring child pornography images and had 214,898 members, the warrant said.

Before shutting down "Website A," as court documents call it, on March 4, the FBI obtained a search warrant from a judge in Virginia that authorized it to use a technique that would cause a computer to send it data anytime a user logged on.

The FBI cited the data obtained during the probe of Website A in seeking a search warrant in June for a Brooklyn apartment where a man resided with the same IP address as one of the website's users.

The Brooklyn man has not been charged. An FBI spokeswoman declined to comment, saying the agency does not discuss "ongoing investigations."

The probe follows an earlier FBI investigation based out of Nebraska that resulted in the seizure of three child pornography online websites in 2012, two of which listed 5,600 and 8,100 members, respectively.



Reuters

Those websites, according to court documents, operated on the Tor network, which allows users to communicate anonymously.

The Tor service has enabled dissidents living under repressive regimes a means of safely communicating but has also made it easier for criminals to avoid detection.

Called "Operation Torpedo," the Nebraska investigation resulted in charges against 28 people including the websites' administrator, Aaron McGrath, who was sentenced in 2014 to 20 years in prison after pleading guilty.

(Reporting by Nate Raymond in New York; Editing by Richard Chang)

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